



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Moorhouse et al

U.S. Patent No.: 6,737,386 B1

Issued: May 18, 2004

Application No: 09/579,658

**Filed: May 26, 2000**

For: AN AQUEOUS BASED ZIRCONIUM (IV) §  
CROSSLINKED GUAR FRACTURING §  
FLUID AND A METHOD OF MAKING §  
AND USE THEREFOR §

Atty. Docket No: B-0103.27

Examiner: P. Tucker

Group Art Unit: 1712

RECEIVED

JUL 21 2008

# OFFICE OF PETITIONS

## PETITION TO ACCEPT LATE PAYMENT OF MAINTENANCE FEE

**MAIL STOP PETITION**  
**COMMISSIONER FOR PATENTS**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

Applicant presents this Petition to Accept Late Payment of a Maintenance Fee pursuant to an unintentional failure to pay the maintenance fee due in the referenced patent. Through an error and without deceptive intent the undersigned Attorney's docket system failed to properly indicate that payment of a maintenance fee was due, resulting in an unintentional failure to timely pay the maintenance fee due in the referenced patent. The undersigned Attorney did not discover this error until June 24, 2008.

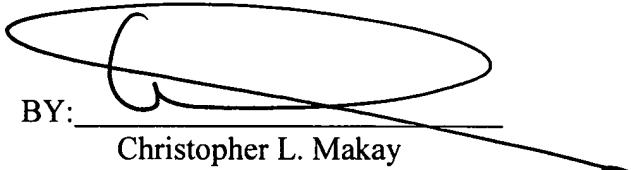
Applicant therefore respectfully requests payment of the maintenance fee due in the referenced patent be accepted as the entire delay in filing the required maintenance fee payment from the due date of the maintenance fee until the filing of a grantable petition was unintentional.

Submitted herewith are a maintenance fee transmittal form and a check in the amount of \$2105.00, which covers the \$465.00 maintenance fee due under 37 C.F.R. 1.20(e) and the \$1640.00 fee for this Petition required under 37 C.F.R. 1.20(i)(2).

Respectfully submitted,

LAW OFFICES OF CHRISTOPHER L. MAKAY  
1634 Milam Building  
115 East Travis Street  
San Antonio, Texas 78205  
(210) 472-3535

DATE: 7 July 2008

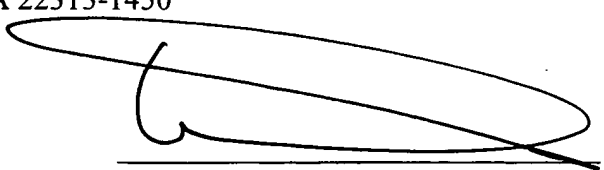
BY:   
Christopher L. Makay  
Reg. No. 34,475

ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 7 July 2008

  
Christopher L. Makay



**MAINTENANCE FEE TRANSMITTAL FORM**  
**(Do not submit this form electronically via EFS-Web)**

Address to:  
U.S. Patent and Trademark Office  
P.O. Box 979070  
St. Louis, MO 63197-9000

- OR -

Fax to: 571-273-6500

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "United States Patent and Trademark Office, P.O. Box 979070, St. Louis, MO 63197-9000" on 7 July 2008.

Signature [Signature]

Typed or printed name Christopher L. Makay

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

- ☒ A check for the amount of \$ 2105.00 for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is enclosed.
- ☐ The Director is hereby authorized to charge \$ \_\_\_\_\_ to cover the payment of the fee(s) indicated below to Deposit Account No. \_\_\_\_\_.
- ☐ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. \_\_\_\_\_.

\* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5)

Item	Patent Number*	U.S. Application Number* [e.g., 06/555,555]	Maintenance Fee Amount (37 CFR 1.20 (e)-(g))	Surcharge Amount (37 CFR 1.20(h))	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6,737,386 B1	09/579,658	\$465.00	\$1640.00	<input checked="" type="checkbox"/>		
2							
3							
4							
5							

Subtotals: Columns 3 & 4

\$2105.00

Total Payment

\$2105.00

☐ \_\_\_\_\_ additional sheets attached for listing additional patents.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.**

Respectfully submitted, [Signature]

Customer's Signature: \_\_\_\_\_

Customer's Name: Christopher L. Makay

Registration Number, if applicable: 34,475

Telephone: 210-472-3535

Fax: 210-472-3311

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

\*\* WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: United States Patent and Trademark Office, P.O. Box 979070, St. Louis, MO 63197-9000.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.